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July 3, 2020

VIA ELECTRONIC FILING

Hon. Ronnie Abrams, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 2203
New York, New York 10007

Re: *Donald P. Milione, D.C. v. Aetna Life Insurance Company*
Civil Action No.: 1:20-cv-01160-RA-SN

The initial conference scheduled for July 10, 2020 is hereby adjourned to July 31, 2020 at 12:30 p.m. The parties shall file their joint letter and proposed case management plan no later than July 24, 2020.

SO ORDERED.

Hon. Ronnie Abrams
7/6/2020

Dear Judge Abrams:

This firm represents Defendant Aetna Life Insurance Company (“Aetna”) in the above-referenced matter. We write with the consent of counsel for the Plaintiff to respectfully request to adjourn the Initial Pretrial Conference currently scheduled for July 10, 2020 at 10:45am for two weeks to July 24, 2020, or such later date that is convenient for the Court. The extension is needed so that the parties can engage in further discussions as to how to address the claims brought on behalf of one patient and one date of service in dispute, which Aetna has asserted involves a governmental health benefit plan that is exempt from ERISA. As the complaint only alleges causes of action arising under ERISA, the parties wish to reach a resolution as to whether those claims will be voluntarily dismissed, remedied in an amended complaint, or subject to motion practice before the Court enters a schedule that is tailored to ERISA-governed plans.

This is Aetna’s first request for an extension of these dates. We represent that this adjournment will not affect any other deadlines in the case and is sought in good faith.

A stipulation and proposed Order is submitted herewith. If it meets with Your Honor’s approval, we respectfully request that it be entered. We thank the Court for its consideration.

Very truly yours,

CONNELL FOLEY LLP

/s/ Patricia A. Lee

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Encl.

Cc: Eugene Killian, Jr., Esq. (via ECF)